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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Frederick H. Carter

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02/27/2006

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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/940,280	CARTER, FREDERICK H.	
	Examiner	Art Unit	
	Benjamin R. Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 13-22 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13-22 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claims 1-9, 13-22, 26 are pending in this Office Action.

Claims 1, 13, 14, 26 are amended.

Claims 12 and 25 are cancelled.

Response to Arguments

Applicant's arguments filed in the amendment filed 1/9/06, have been considered but are moot in view of the new ground(s) of rejection.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-2, 4-9, 13-15, 17-22, 26 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,687,733 by Manukyan.

Regarding claim 1, in a process comprising at least one activity, a computer implemented method for performing an activity (Manukyan: col. 3, lines 1-10), comprising:

receiving a message, from a process management engine (Manukyan: col. 3, line 5; interactive server), to perform an activity which calls for invocation of a service provided by a service application (Manukyan: col. 10, lines 5-14), said service being invocable using a protocol (Manukyan: col. 9, lines 16-24), and said service, when invoked, provides one or more results of performing said service (Manukyan: col. 3, lines 7-8; make service available);

obtaining a service definition for said service (Manukyan: col. 11, lines 1-28), wherein said service definition comprises mapping information that maps one or more attributes

associated with said activity to one or more parameters used by said service (Manukyan: col. 8, lines 52-64), wherein said service definition for said service comprises an indication that said protocol is to be used to invoke said service (Manukyan: col. 8, lines 52-64);

selecting a first set of logic, from a plurality of sets of logic, based upon said indication in said service definition for said service, wherein said first set of logic implements said protocol (Manukyan: col. 10, lines 15-35);

executing said first set of logic which implements said protocol to generate a service invocation (Manukyan: col. 10, lines 15-35), wherein said service invocation is generated based upon at least a portion of information, and is in compliance with said protocol (Manukyan: col. 10, lines 15-35) and

sending said service invocation to said service application to invoke said service (Manukyan: col. 10, lines 7-35).

receiving a reply from said service application which comprises said one or more results (Manukyan: col. 11, lines 1-28); and

providing at least a portion of said one or more results to said process management engine to complete performance of said activity (Manukyan: col. 11, lines 1-28).

Regarding claim 2, the method of claim 1, wherein said protocol is an industry standard protocol (Manukyan: col. 4, lines 27-44).

Regarding claim 4, the method of claim 2, wherein said protocol is ebXML (Manukyan: col. 4, lines 27-34).

Regarding claim 5, the method of claim 1, wherein said activity has an activity definition associated therewith, and wherein said activity definition comprises said service definition (Manukyan: col. 8, lines 39-64).

Regarding claim 6, the method of claim 1, wherein said service definition comprises an indication that said protocol is to be used to invoke said service (Manukyan: col. 8, lines 39-64).

Regarding claim 7, the method of claim 1, wherein said service definition comprises access information for accessing said service (Manukyan: col. 8, lines 39-64).

Regarding claim 8, the method of claim 7, wherein said access information comprises a URI (universal resource identifier) (Manukyan: col. 9, lines 54-57).

Regarding claim 9, the method of claim 7, wherein said access information comprises a service name (Manukyan: col. 8, lines 39-64).

Regarding claim 13, the method of claim 1, further comprising:

wherein the activity is a first activity (Manukyan: col. 9, lines 16-19; one of a plurality), wherein said protocol is a first protocol, wherein the service application is a first service application, the message is a first message, wherein the service is a first service, wherein the one or more results of performing said first service is a first set of one or more results of performing said first service, wherein said service invocation is a first service invocation, and the method further (Manukyan: col. 9, lines 16-19; teaches a plurality of services; col. 8, lines 52-64 teaches services and ports and protocols. Together. The results are the implementation and setup of the services) comprises:

receiving a second message to perform a second activity which calls for invocation of a second service provided by a second service application, wherein said second service, when invoked, provides a second set of one or more results of performing said second service;

obtaining a service definition for said second service, said service definition for said second service comprising an indication that a second protocol is to be used to invoke said second service;

selecting a second set of logic based upon said indication in said service definition for said second service, said second set of logic implementing said second protocol;

executing said second set of logic to generate a second service invocation, wherein said second service invocation is generated based upon at least a portion of said service definition for said second service, and is in compliance with said second protocol; and

sending said second service invocation to said second service application to invoke said second service;

receiving a reply from said second service application which comprises said second set of one or more results; and

providing at least a portion of said second set of one or more results to said process management engine to complete performance of said second activity (These are likened to the steps listed in claim 1 where Manukyan implements, adds, changes existing services based on received requests and service definitions. Services are File, Mail, Web. Protocols are HTTP, XML, FTP, MIME. Service applications are the daemons: internet, mail, FTP, web; col. 8, lines 39-64).

While the examiner understands the difference between a computer implemented method for performing activities and a computer readable medium comprising instructions, which perform activities, the examiner relates these to the code and features of code running on a computer system. Therefore the claims below are equated to each other in nature and are therefore rejected accordingly.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No 6,687,733 by Manukyan in view of U.S. Publication No. 2002/0178254 by Brittenham et al.

Regarding claim 3,

The Manukyan reference teaches the method of claim 2.

The Manukyan reference does not explicitly state use of SOAP.

The Brittenham reference teaches the use of the protocol is SOAP (simple object access protocol) (Brittenham: page 4, para 41) in performing an activity.

The Brittenham reference further teaches the protocol is used in deploying web services.

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the process of performing an activity as taught by Yost while employing a SOAP as taught by Brittenham in order to deploy services to devices.

While the examiner understands the difference between a computer implemented method for performing activities and a computer readable medium comprising instructions, which perform activities, the examiner relates these to the code and features of code running on a computer system. Therefore the claims below are equated to each other in nature and are therefore rejected accordingly.

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REMARKS

Applicant has amended claims 1, 13 and 14, 26 to include further details about the claimed invention. Prior art not used in the record but reads upon the claim limitations is U.S. Patent Publication 2002/0184349 by Manukyan teaches similar and further detail to the claim limitations as cited above and U.S. Patent Publication 2002/0010764 by Spicer teaches service definitions and uses.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

brb

BRB


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER